

**FRANK  
LAWYERS  
TO FILE  
MORE  
DEPOSITION  
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# **Another Juror May Be Charged With Bias—Accused Cheerful, Aiding Counsel.**

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Counsel for Leo M. Frank made ready Friday to file further depositions to support their arguments for a new trial which will be made Saturday, October 18, before Judge L. S. Roan. It is understood the name of at least one more juror, in no to A. H. Henslee and Marcellus Johenning, will be mentioned in the affidavits as guilty or prejudice.

Frank's lawyers say they have uncovered what they regard as practically conclusive evidence of violent dislike and bias on the part of a third juror.

Several depositions are expected to be filed respecting this juror. Others have been obtained to strengthen the charge of prejudice on the part of Henslee and Johenning.

Still others bear on the demonstrations that took place inside and outside the courtroom during the trial, by which, the defense alleges, the members of the jury might have been intimidated.

## **Frank is Cheerful.**

Undisturbed by the thought that if his sentence had not been stayed by the appeal of his attorneys for a new trial, he would some time during the day pay out his life on the gallows, Frank

sat in his cell in the Tower Friday, busily and cheerfully engaged in working on a number of the details of his greatly involved case.

Frank was convicted of murder August 25. On August 26, he was sentenced by Judge L. S. Roan to be hanged October 10. The hearing of his attorneys' motion for a new trial was set for October 4, but the vast amount of work necessary in the preparation of the arguments led to a request by Solicitor Dorsey for more time. A week's delay was granted by Judge Roan, with the understanding that he would extend the time still farther if desired.

### **Hearing October 18.**

Solicitor Dorsey and his assistant, A. E. Stephens, secluded themselves in Valdosta, where they would be insured against interruptions, and began their review of the 115 reasons for a new trial submitted by the defense. Within a few days they saw that they could not complete their work by Saturday of this week and possibly not in time for a hearing on the following Saturday. Another request for more time was granted by Judge Roan. The hearing will take place October 18, in all probability, unless the Solicitor is unable to conclude his preparation by that time.

In the meantime, Frank's execution set for to-day, has been indefinitely postponed. The prisoner continues to entertain full confidence of ultimate acquittal. His only utterance has been that he was unjustly convicted by a jury that was swayed by influences outside the evidence.

### **Frank Aids Lawyers.**

He is taking a most active interest in the movements in his behalf, and is himself assisting the attorneys materially along certain lines. He is visited constantly by his relatives and friends, and is maintaining the same optimistic demeanor that has marked his bearing since he was first taken to the Tower.

# **HAWTHORNE READY TO LEAVE PRISON**

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**Author, Unembittered,  
Expected**

**To Write About  
Injustices of**

**U. S. Penal System.**

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Julian Hawthorne is preparing to leave the Atlanta Federal Prison October 15, the date of the expiration of his sentence with "good time" deducted.

Hawthorne, whose attitude since his incarceration has generally been one of reserve and reticence, desires to go from the prison without any notice or publicity, and for this reason the

prison officials are maintaining the utmost secrecy as to the exact time of the day that he will leave the grim building which has held him nearly a year.

The distinguished author is said not to have been embittered in the least by his experience inside prison walls. He has, however, given deep thought to some of the injustices of America's penal system, and it is expected that much of his writing of the future will be colored by the impressions and the conclusions formed during the period of his imprisonment.

He naturally was cast down for a time when the recommendation for his parole was turned down by Attorney General McReynolds, but of late he has been particularly happy and cheerful in the prospect of his early return to freedom. He has been permitted to walk about the prison inclosure as many hours as the prison regulations allow, and he will go forth next Wednesday in unusually good health.